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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Reply under 37 CFR 1.116 - Expedited
Procedure - Technology Center 3728

Patent Application of: **STONER, et al.**

Application No.: **09/990,571**

Filing Date: **November 21, 2001**

Primary Examiner: **Luan K. Bui**

Art Unit: **3728**

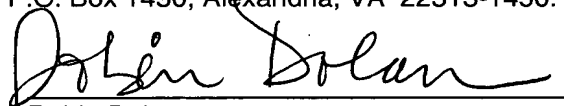
For: **"CHRISTMAS ORNAMENT HANGER/HOLDER"**

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CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)

I hereby certify that this Correspondence is being deposited on the date identified below with the United States Postal Service as first-class mail in an envelope properly addressed to MAIL STOP REISSUE, COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, VA 22313-1450.

May 24, 2004
Date of Certificate


Robin Dolan

**SUBMISSION OF SUPPLEMENTAL DECLARATION
PURSUANT TO 37 C.F.R. § 1.175(b)(1)**

In response to the final office action mailed April 26, 2004, Applicant is submitting herewith a Supplemental Declaration for Reissue Patent Application in accordance with 37 C.F.R. § 1.175(b)(1).

In the April 26, 2004 office action, the Examiner stated that the error relied upon in the original reissue declaration to support the reissue application was not an error upon which a reissue application can be based. The Applicant believes that the original reissue declaration contains properly stated errors in accordance with 37 C.F.R. § 1.175. However, to advance prosecution, the Applicant is providing a statement of error in the attached Supplemental Declaration to support the reissue application.

The Examiner's prior grounds for rejection in the October 8, 2003 office action were not raised in the April 26, 2004 final office action, and are therefore presumed to be overcome. Based on the foregoing, and the Supplemental Declaration attached herewith, the reissue application is

believed to be in condition for allowance, and the Examiner is respectfully requested to pass this case to reissue.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'C. A. Rothe', written over a horizontal line.

Christopher A. Rothe
PTO Reg. No. 54,650

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Enclosure (Supplemental Reissue Declaration)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Reissue Patent Application of: Jeffrey R. STONER and Carol E. STONER

Reissue Application No. 09/090,571

Original Patent No. 5,889,384

Filing Date: November 21, 2001

Primary Examiner: Luan K. Bui

Art Unit: 3728

For: "CHRISTMAS ORNAMENT HANGER/HOLDER"

SUPPLEMENTAL DECLARATION FOR REISSUE PATENT
APPLICATION PURSUANT TO 37 C.F.R. § 1.175

We hereby declare that:

We believe the original patent to be wholly or partly inoperative or invalid by reason of the patentees claiming less than the patentee had a right to claim in the patent. The patentees are seeking a broadening reissue due to the fact that the existing claims do not provide as broad protection as the patentees are entitled to. In addition to the errors pointed out in the reissue declaration filed November 21, 2001, the patentees believe they are entitled to dependent claims that are not limited to containers "for storing Christmas ornaments".

Every error in the patent which was corrected in the present reissue application, and which is not covered by the prior oath(s) and/or declaration(s) submitted in this application, arose without any deceptive intention on the part of the applicants.

We hereby declare that all statements made herein of my/our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

First Inventor:

Jeffrey R. Stoner
Jeffrey R. Stoner

Date: 5.19.04

Second Inventor:

Carol E. Stoner
Carol E. Stoner

Date: 5.19.04